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7 KEAHNY HARRIS-HOUSTON,
8 Plaintiff,
9 v.
10 UNITED STATES OF AMERICA, et al.,
11 Defendants.

Case No. 22-cv-06199-DMR

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28 **ORDER OF DISMISSAL WITHOUT
PREJUDICE FOR FAILURE TO
PROSECUTE**

Self-represented Plaintiff Keahny Harris-Houston filed a complaint and an application for leave to proceed *in forma pauperis* (“IFP”). [Docket Nos. 1, 2.]

On December 7, 2022 the court granted Plaintiff’s IFP application and ordered that the U.S. Marshal serve a copy of the complaint on Defendants. [Docket No. 6.] On February 21, 2023, the United States filed a motion to dismiss. [Docket No. 13.] Because Plaintiff did not timely file a brief in opposition to the motion, the court issued an order to show cause on March 27, 2023. [Docket No. 16.] The court ordered Plaintiff to explain his failure to respond to the motion by April 13, 2023. Plaintiff was also ordered to submit an opposition or file a statement of non-opposition to the motion by the same date. The court warned Plaintiff that failure to respond may result in dismissal of his action. *See id.* No response was filed. Accordingly, Plaintiff’s action is hereby dismissed without prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: May 4, 2023


DONNA M. RYU
Chief Magistrate Judge